Third Review Conference of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction

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Review of the operation and status of the Convention

Maputo Action Plan

Submitted by the President-Designate of the Third Review Conference

Introduction

1. The States Parties reaffirm their unqualified commitment to ending the suffering and casualties caused by anti-personnel mines for all people for all time, and aspire to end the era of anti-personnel mines. These States Parties strive to: maintain strict observance of the Convention's norms; complete implementation of their respective time-bound obligations under the Convention as soon as possible **[and no later than by 2025]**; ensure no new mine victims in areas under their jurisdiction or control; and see that survivors participate in their societies on an equal basis to others.

2. The Maputo Action Plan aims for significant and sustainable progress towards the achievement of this ambition during the period 2014 to 2019, building on the achievements made under the Nairobi and Cartagena Action Plans, while acknowledging local, national and regional circumstances in its practical implementation. The States Parties will implement the Maputo Action Plan in a cooperative, inclusive, age-appropriate and gender-sensitive manner and, in doing so, endeavour for a high degree of coherence, coordination and cost effectiveness. In addition, they will continue to recognise the special partnerships in the universalization and implementation of the Convention with the United Nations, the International Committee of the Red Cross, the International Campaign to Ban Landmines and the Geneva International Centre for Humanitarian Demining.

I. Universalization

3. While recognising the tremendous progress already achieved, and in order to continue pursuing universal adherence to the Convention and acceptance of its norms, the States Parties will take the following actions:

(a) The States Parties will promote formal adherence to the Convention by States not party to the Convention, regularly inviting them to participate in the Convention's meetings and inform States Parties of practical steps taken, such as formalised commitments not to use, produce or transfer anti-personnel mines, or to destroy stockpiles.

(b) The States Parties will continue to promote universal observance of the Convention's norms, condemn violations of these norms and take appropriate steps to end the use, stockpiling, production and transfer of anti-personnel mines by any actor, including by armed non-State actors.

(c) The States Parties will coordinate their actions to promote the Convention, including actions taken at a high level, through bilateral contacts and in multilateral fora, and request the Secretary-General of the United Nations, as Depositary, to continue promoting universalization by inviting States not party to join the Convention as soon as possible.

(d) Recalling that in Maputo in 1999, the States Parties formally declared that "as a community dedicated to seeing an end to the use of anti-personnel mines, our assistance and cooperation will flow primarily to those who have foresworn the use of these weapons forever through adherence to and implementation of the Convention," State Parties in promoting the Convention will communicate that they will give specific consideration to those States that have committed to these principles, when considering giving assistance to States not party to the Convention, taking into account that each country will provide assistance on the basis of its own priorities and principles, including in emergency situations.

II. Stockpile destruction

4. The elimination of all stockpiled anti-personnel mines will contribute greatly to preventing additional suffering and casualties caused by these weapons. With a view to overcoming persistent challenges to achieving this aim as soon as possible and preventing additional challenges as well as new cases of non-compliance, the States Parties will take the following actions:

(a) Each State Party that has missed its deadline for the completion of its Article 4 obligations will provide to the States Parties, through the President, by 31 December 2014, a plan for the destruction of all stockpiled anti-personnel mines under its control or jurisdiction as soon as possible, and thereafter keep the States Parties apprised of efforts to implement its plan through annual transparency reports and other means.

(b) Each State Party in the process of destroying its stockpiled anti-personnel mines will regularly communicate to the States Parties, through annual transparency reports and other means, plans to fulfil its obligations and progress achieved, highlighting as early as possible any issues of concern.

(c) Each State Party which discovers previously unknown stockpiles after stockpile destruction deadlines have passed will inform the States Parties as soon as possible, report pertinent information as required by the Convention, and destroy these anti-personnel mines as a matter of urgent priority and no later than six months after the report of their discovery.

III. Mine clearance

5. Considerable progress has been achieved in mine clearance, with almost 30 States Parties having completed implementation of their obligations. However, almost an equal number of States Parties are still in the process of meeting mine clearance deadlines, most of which are extended deadlines. The methods and means of identifying, clearing or releasing areas known or suspected to contain anti-personnel mines in the most efficient manner have improved greatly. In order to achieve completion by all States Parties as soon

as possible and no later than by their respective clearance deadlines, the States Parties will take the following actions:

(a) Each State Party with ongoing mine clearance obligations will undertake all reasonable efforts to quantify and qualify its remaining implementation challenge as soon as possible, and report this information through its Article 7 transparency report by 30 April 2015 and annually thereafter. This information should identify the precise perimeters and locations, to the extent possible, of all areas under its jurisdiction or control that contain anti-personnel mines and therefore require clearance, and that are suspected to contain anti-personnel mines and therefore require further survey. This information is to be incorporated into national demining plans and relevant broader development and reconstruction plans.

(b) Each State Party with ongoing mine clearance obligations will ensure as soon as possible that the most relevant land-release standards, policies and methodologies, in line with the United Nations' International Mine Action Standards, are in place and applied for the full and expedient implementation of this aspect of the Convention. These land release methodologies will be evidence-based, accountable and acceptable to local communities, including through the participation of affected communities, including women, girls, boys and men, in the process.[1]

(c) Each State Party that has reported mined areas under its jurisdiction or control will provide mine risk reduction and education programmes, as part of broader risk assessment and reduction activities targeting the most at-risk populations. These programmes shall be age-appropriate and gender-sensitive, coherent with applicable national and international standards, tailored to the needs of mine-affected communities and integrated into ongoing mine action activities, namely data gathering, clearance and victim assistance as appropriate.

(d) All States Parties will apply the recommendations endorsed by the Twelfth Meeting of the States Parties as contained in the paper "Reflections on the Article 5 Extension Process"[2] on ensuring that high-quality requests for extended mine clearance deadlines continue to be submitted, that high-quality analyses of these requests continue to be prepared, and that cooperative engagement of Article 5 implementing States Parties continues after requests have been granted.

IV. Victim assistance

6. States Parties are committed to the full, equal and effective participation of mine victims in society. Actions taken under this Convention to fulfil the solemn promise to mine victims have proven vital and commitments under the Cartagena Action Plan and remain valid and should be acted upon. Engagement in other domains is also necessary in view of the States Parties' understanding that victim assistance should be integrated into broader national policies, plans and legal frameworks related to the rights of persons with disabilities, health, education, employment, development and poverty reduction. In this context and in order to address victim assistance with the same precision and intensity as for other aims of the Convention and to ensure that broader frameworks are reaching mine victims, the States Parties will take the following actions:

(a) Each State Party with mine victims in areas under its jurisdiction or control, in a manner that takes into account sex- and age-disaggregated data, will do its utmost to

[1] Recommendations on applying all available methods for the full and expedient implementation of Article 5 were endorsed by the Ninth Meeting of the States Parties.

[2] APLC/MSP.12/2012/4.

assess the needs of mine victims, the availability and gaps in services and support, and existing or new requirements for disability, health, education, employment, development and poverty reduction activities needed to meet the needs of mine victims, and to refer victims to existing services where possible.

(b) Based on its assessments, each State Party with mine victims in areas under its jurisdiction or control will do its utmost to communicate to the States Parties, through its annual transparency report, by 30 April 2015, time-bound and measurable objectives it seeks to achieve through the implementation of national policies, plans and legal frameworks that will tangibly contribute, to the full, equal and effective participation of mine victims in society. Every year, these objectives should be updated, their implementation monitored, and progress in implementing them reported to the States Parties.

(c) Based on its assessments, each State Party with mine victims in areas under its jurisdiction or control will do its utmost to communicate to the States Parties, through its annual transparency report, by 30 April 2015, enhancements that have been made or will be made to disability, health, social welfare, education, employment, development and poverty reduction plans, policies and legal frameworks needed to meet the needs of mine victims, and on budgets allocated for their implementation. Every year, efforts to implement these plans, policies and legal frameworks and their enhancements should be communicated to the States Parties.

(d) Each State Party with mine victims in areas under its jurisdiction or control, taking into account its own local, national and regional circumstances, will do its utmost to strengthen local capacities, enhance coordination with subnational entities as relevant and appropriate, and increase availability of and accessibility to appropriate comprehensive rehabilitation services, economic inclusion opportunities and social protection measures for all mine victims, regardless of their gender and age. This entails removing physical, social, cultural, economic, political and other barriers, including expanding quality services in rural and remote areas and paying particular attention to vulnerable groups.

(e) Each State Party, and particularly each with mine victims in areas under its jurisdiction or control, will do its utmost to enhance the capacity and ensure the inclusion and full and active participation of mine victims and their representative organisations in all matters that affect them, particularly as concerns national action plans, legal frameworks, policies, implementation mechanisms, monitoring and evaluation.

(f) All States Parties will seize every opportunity to raise awareness of the imperative to address the needs and guarantee the rights of mine victims, in an age- and gender-sensitive manner, including by engaging in the work of international, regional and national human rights, health care, labour and other *fora*, instruments and domains.

(g) Each State Party with mine victims in areas under its jurisdiction or control will do its utmost to report in advance of the next Review Conference on measurable improvements made in the well-being and the guarantee of the rights of mine victims, challenges that remain and priorities for assistance as relevant.

V. International cooperation and assistance

7. While each State Party is responsible for implementing the Convention in areas under its jurisdiction or control, the Convention's shared goals can be advanced through enhanced cooperation. With a view to significantly improving cooperation between those seeking assistance and those in a position to provide assistance, the States Parties will take the following actions:

(a) Each State Party seeking assistance will do its utmost to demonstrate high-level national ownership in fulfilling Convention obligations, including by: maintaining interest at a high level in fulfilling Convention obligations; empowering and providing relevant State entities with the human, financial and material capacity to carry out their obligations under the Convention; articulating the measures its State entities will undertake to implement relevant aspects of Convention in the most inclusive, efficient and expedient manner possible and plans to overcome any challenges that need to be addressed; and making a regular significant national financial commitment to the State's programmes to implement the Convention.

(b) All States Parties in a position to do so will effectively use all possible avenues to support States Parties seeking to receive assistance in mine clearance; mine risk education; stockpile destruction; adopting appropriate national implementation measures; as well as meeting victims' needs and guaranteeing their rights. As concerns victim assistance, this includes providing targeted assistance and supporting broader efforts to enhance frameworks related to the rights of persons with disabilities, health, education, employment, development and poverty reduction.

(c) States Parties in a position to provide assistance and those seeking to receive assistance, where relevant and to the extent possible, will enter into partnerships for completion, with partners specifying their responsibilities to each other, articulating age- and gender-sensitive time-bound objectives and targets, making financial or other commitments, if possible on a multi-year basis, and engaging regularly in a dialogue on progress and challenges in meeting goals.

(d) States Parties in a position to provide assistance will support plans and programmes that are informed by relevant and accurate information on contamination and the socio-economic impact of anti-personnel mines – including information which is collected from affected women, girls, boys and men, and is analysed from a gender perspective – and that promote and encourage gender mainstreaming.

(e) All States Parties will develop and promote bilateral, regional and international cooperation, including through South-South cooperation and by sharing national experiences and good practices, resources, technology and expertise to implement the Convention.

(f) All States Parties will contribute, as they deem useful, to the information exchange tool 'Platform for Partnerships' and will provide new or updated information on their needs for assistance or on assistance which they are in a position to offer, when feasible, with a view to further enhancing partnerships and to supporting the full implementation of the Convention.

VI. Transparency and the exchange of information

8. The States Parties recognise that transparency and the open exchange of information, through both formal mechanisms under the Convention and other informal means, are essential to achieving the Convention's aims. The States Parties also recognise that dialogue informed by accurate and high quality information can support cooperation and assistance and accelerate the Convention's implementation. To this end, the States Parties will take the following actions:

(a) All States Parties will provide high quality and updated information annually, as required by the Convention, and provide additional information in a voluntary manner. Where applicable, those States Parties without implementation obligations will make use of the simplified tools for fulfilling their Article 7 obligations.

(b) The States Parties will draw on information provided as required and on a voluntary basis to engage in cooperative dialogue with a view to enhancing cooperation and assistance efforts, as well as the overall implementation of the Convention. This will contribute to making the exchange of information an effective management tool in support of the implementation of all the Convention's obligations.

(c) Each State Party that has retained anti-personnel mines for reasons permitted by the Convention will regularly review the number of retained anti-personnel mines to ensure that they constitute the minimum number absolutely necessary for permitted purposes, destroy all those exceeding that number, where appropriate explore available alternatives to using live anti-personnel mines for training and research activities. States Parties will annually report, on a voluntary basis, on the plans for and actual use of retained anti-personnel mines explaining any increase or decrease in the number of retained anti-personnel mines.

VII. Measures to ensure compliance

9. During the period 2014-2019, States Parties will continue to be guided by the knowledge that collective cooperation will help facilitate and assist each State Party's ongoing compliance with the Convention. To this end, the States Parties will take the following actions:

(a) In case of alleged or known non-compliance with the Convention's prohibitions, the State Party concerned will provide information on the situation to all States Parties in the most expeditious, comprehensive and transparent manner possible and work together with other States Parties in a spirit of cooperation to resolve the matter in an expeditious and effective manner, in accordance with Article 8.

(b) Each State Party that has not yet done so, will, as soon as possible and no later than by the Fourth Review Conference, take all appropriate legal, administrative and other measures to prevent and suppress any activity that is prohibited the Convention undertaken by persons or on territory under its jurisdiction or control. States Parties will report on such measures as required by the Convention and thereafter inform the States Parties of the use of such measures to respond to cases of alleged or known non-compliance with the Convention's prohibitions.

VIII. Implementation support

10. The States Parties have developed innovative mechanisms for the implementation of the Convention and have shown great flexibility in adjusting this machinery to ensure that it matches evolving needs. The States Parties have made it clear that they retain full ownership over the mechanisms they have established, including by remaining committed to oversee and finance this machinery. To this end, the States Parties will take the following actions:

(a) All States Parties in a position to do so will provide necessary financial resources for the effective operation of the Implementation Support Unit and take responsibility for the mechanisms they have established.

(b) The States Parties will make use of synergies with other relevant instruments of international humanitarian and human rights law, without creating any new legal obligations, with a view to enhancing implementation of the Convention, streamlining the Convention's work and using resources as efficiently as possible.